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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re. Appn.: John Underbrink
Application No.: 10/652,112
Filing Date: August 29, 2003
For: FOLDING SINK
Examiner: Khoa D. Huyhn
Art Unit: 3751
Attorney: Gerald E. Helget
Attorney Docket No.: 35249.27
Additional Fees: Charge to Deposit Account No. 023732

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

TRANSMITTAL COVER LETTER

Enclosed for filing, please find the following:

1. Fee Transmittal FY 2004 (1 page);
2. A check in the amount of \$130.00 for Petition Fee;
3. Petition to Make Special Because of Actual Infringement (1 page);
4. Statement in Support of Petition to Make Special (Infringement)(1 page); and
5. Postcard Receipt.

Respectfully submitted,

Dated: 23 Sept 04

By Gerald E. Helget

Gerald E. Helget (Reg. No. 30,948)
Briggs and Morgan, P.A.
80 South Eighth Street
2200 IDS Center
Minneapolis, MN 55402
Telephone: (612) 977-8486

CERTIFICATE OF MAILING

I hereby certify that this document and the documents identified above, are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP PETITION, Commissioner for Patents, Alexandria, VA 22313-1450, on the date indicated below.

By Gerald E. Helget

Dated 23 Sept 04

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130.00

Complete if Known

Application Number 10/652,112
Filing Date August 29, 2003
First Named Inventor John Underbrink
Examiner Name Khoa D. Huynh
Art Unit 3751
Attorney Docket No. 35249.27

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 02-3732

Deposit Account Name Briggs & Morgan, P.A.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		-20 **	=	0	X		=	0
Independent Claims		-3 **	=	0	X		=	0
Multiple Dependent			X		=		=	0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$) 130.00

SUBMITTED BY

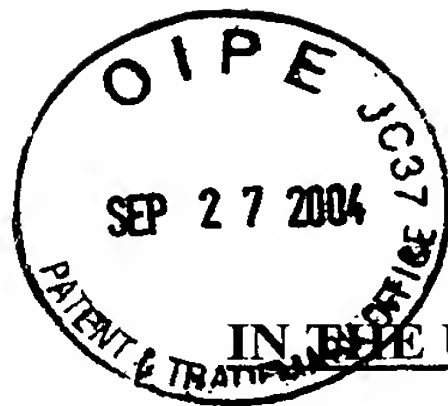
Complete (if applicable)

Name (Print/Type) Gerald E. Helget Registration No. (Attorney/Agent) 30,948 Telephone 612.977.8480
Signature *Gerald E. Helget* Date 23 Sep 04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT
(37 C.F.R. §1.102 AND M.P.E.P. §708.02)

Applicant hereby petitions to make this application special because of actual infringement.

1. Accompanying material:

Accompanying this petition is:

a Statement by Attorney in Support of Petition to Make Special Because of Actual Infringement

Respectfully submitted,

Dated: 23 Sept 04

By [Signature]
Gerald E. Helget (Reg. No. 30,948)
Briggs and Morgan, P.A.
80 South Eighth Street
2200 IDS Center
Minneapolis, MN 55402
Telephone: (612) 977-8480

CERTIFICATE OF MAILING

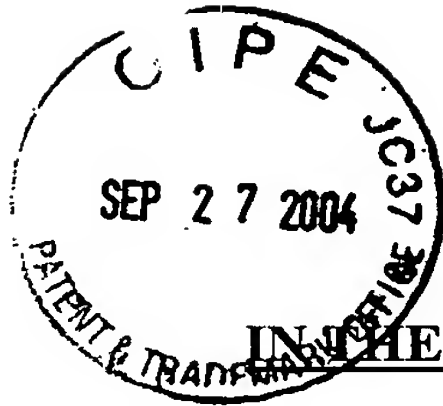
I hereby certify that this document and the documents identified above, are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP PETITION, Commissioner for Patents, Alexandria, VA 22313-1450, on the date indicated below.

By [Signature]
Dated 23 Sept 04

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**STATEMENT BY ATTORNEY IN SUPPORT OF PETITION TO MAKE SPECIAL
BECAUSE OF ACTUAL INFRINGEMENT
(37 C.F.R. §1.102 AND M.P.E.P. §708.02)**

Applicant hereby petitions the Office to make the above-referenced United States Patent Application special, as follows:

1. There is an infringing device or product actually on the market. In particular, an infringing product is actually being marketed by Jobar International, Inc., 21022 Figueroa St., Carson, CA 90745 (attached).
2. A rigid comparison of the alleged infringing product with the claims of the application has been made. In my opinion, some of the claims are unquestionably infringed.
3. I have a good knowledge of the pertinent prior art. The references most closely related to the subject matter encompassed by the claims are already of record.

Dated: 23 Sept 04


Gerald E. Helget
Attorney for Applicant